PRESERVED

App. F. IX-4

35-41

File No. ~~35-41~~

Previous References.

1941-42
(Legn)

Serial Nos. 1

Later References.

65

GENERAL AND REVENUE SECRETARIAT

Serial Nos.

Part B for

SUBJECT

War donations and ~~investments~~ investments Companies Act 1942 —
as Act No IV of 1942 —.

To the Compiler Mysore Gazette.
No RL 1314 Legn 35-41-1 dated 27-7-42

The War Donations and Investment (Companies) Act

General and Revenue Secretariat
R. A. & L. C.

Legis File No. 30 of 1941 (64/RL)

App. F. III-2

Serial No.

The gracious assent of His Highness has been accorded on the 6th January 1942 to promulgate the Bill into Law

A draft G.O. directing publication of the Act as Act No IV of 1942 is put up for approval

W 27-1-42 JAS. 27.1.42

Secy RA & Lc

BNR 27.1.42

Law Secy

BNR 27.1.42

SECTT DEPT 855 27 JAN 1942 GOVT OF MYSORE

HM 27.1.42

Secy BNR 27.1.42

Issued No. RL 1314 - Legis 35-41-1 dated 27th Jan 1942 to the Compiler, Mysore Gazette, Directs publication of the War Donations and Investments (Companies) Act, 1942, as Act No IV of 1942

If approved, this file will be recorded

A

W. 19-5-42

W 19-5-42

BNR 19/5

BNR 19.5.42

NOTE—Contn. Sheet.

File No. of 194

General and Revenue
Secretariat
R. A. & L. C.

	Serial No.

service or service in the armed forces or training as a cadet where such training is not followed by service in the armed forces, as the case may be," and for the words, "had he not been so taken into service as aforesaid" the words "had his employment not been so interrupted" shall be substituted;

(*b*) in the first proviso, for the words "Provided that if for any reason the reinstatement of such person or member," the following words shall be substituted, namely:—

"Provided that if the employer refuses to reinstate such person, or denies his liability to reinstate such person or if for any reason the reinstatement of such person,"

and the words "or member" where they occur for the second and third times shall be omitted;

(*c*) in the second proviso, for the words "from the termination of the national service for which he was called up under the Act", the words "from the termination of his national service or service in the armed forces or training as a cadet where such training is not followed by service in the armed forces, as the case may be" shall be substituted.

(2) To the said section as so renumbered, the following sub-section shall be added, namely:—

"(2) The duty imposed by sub-section (1) upon an employer to reinstate in his employment a person such as is described in that sub-section shall attach to an employer who, before such person is actually called up or taken into service, terminates his employment in circumstances such as to indicate an intention to evade the duty imposed by that sub-section, and such intention shall be presumed until the contrary is proved if the termination of the employment takes place after the issue of a notice under sub-section (1) of section 4 of the Act upon such person."

6. THE WAR DONATIONS AND INVESTMENTS (COMPANIES) BILL.

Statement of ~~Principles~~ Objects & Reasons.

When the Memorandum of Association of a company does not authorise donations to war funds, the Company cannot make such donations nor can the Memorandum be altered under the existing law so as to make such contributions possible. The purpose of this Bill is to enable a company notwithstanding any legal impediments of this character, to make any contribution it wishes to war funds. Provision is also made to enable a company to invest its assets in the war funds. Retrospective validation of any action of the kind already taken by a company since the outbreak of the war is also provided for. The measure is a purely enabling one and casts no obligation whatever on a company to invest or donate, as the case may be, to war funds. A similar Bill has been passed in British India.

31. The Government may delegate all or any of the powers conferred on it by any of the provisions of this Act to the Board or to the Controller of coffee. Power of delegation.

32. The Emergency Act continued by the Mysore Coffee Market Expansion (Emergency Continuance) Act, 1941, is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or the Mysore Coffee Market Expansion (Emergency Continuance) Act, 1941, shall be deemed to have been made, done or taken in exercise of powers conferred by or under this Act as if this Act had commenced on the 21st December 1940. Repeal and Savings.

5. THE MYSORE EUROPEAN BRITISH SUBJECTS REINSTATEMENT (AMENDMENT) BILL.

Statement of Principles.

In order that a statutory liability may be cast on an employer in Mysore, of a European British subject who was employed by him but called up for national service in the armed forces of the Crown or in Civilian employment, to reinstate him at the termination of such national service, an Act has been passed in July called the Mysore European British Subjects Reinstatement Act (XVI of 1941). This Act supplements the National Service (European British Subjects) Act, 1940 of the Indian Legislature.

In June 1941 an Ordinance has been promulgated in British India making certain amendments to the British Indian Act noticed above. Certain amendments have been thereby rendered expedient in the Mysore Act XVI of 1941 and the present Bill seeks to incorporate them. The main changes proposed are briefly—

(1) to provide for reference to a tribunal which has to decide, *inter alia*, questions relating to reinstatement, even those cases where an employer refuses to, or denies his liability to, reinstate a European British Subject. The existing provision limits such references only to cases where an employer represents that such reinstatement is impracticable; and

(2) to prevent an employer from evading his liability to reinstate by terminating the services of an employee prior to his being actually called up, by making the liability attach even in such cases.

THE MYSORE EUROPEAN BRITISH SUBJECTS REINSTATEMENT (AMENDMENT) BILL.

WHEREAS it is expedient to amend the Mysore European British Subjects Reinstatement Act, 1941 (XVI of 1941); It is hereby enacted as follows

1. This Act may be called the Mysore European British Subjects Reinstatement (Amendment) Act, 194 .

2. (1) Section 3 of the Mysore European British Subjects Reinstatement Act, 1941, shall be renumbered as sub-section (1) of that section and in the said section as so renumbered—

(*a*) for the words, "at the termination of that service" the words, "at the termination of his national

The War Donations and Investments (Companies) Bill.

A Bill to enable companies in Mysore to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war.

Whereas it is expedient to enable companies in Mysore to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war;

And whereas it is also expedient to remove doubts as to the legality of such donations and investments where already made; It is hereby enacted as follows:—

Short title.

1. This Act may be called the War Donations and Investments (Companies) Act, 194 .

Interpretation.

2. In this Act "Government loan" includes a loan floated by the Government of the United Kingdom or by the Government of India.

Power of Companies to make donations and investments.

3. Any company formed and registered under the Mysore Companies Act, 1938, or under the Mysore Companies Act, 1917, or under the Mysore Companies Act, 1895, may, notwithstanding anything contained in the Mysore Companies Act, 1938, and notwithstanding that the Memorandum of Association or the Articles of Association of the Company do not enable it so to do, by special resolution authorise the making of a donation from the Company's assets to a public fund formed, or the making of an investment of the Company's assets in a Government loan floated, for the purpose of assisting the prosecution of the present war.

Validation of donations and investments already made.

4. Any donation to a public fund formed, and any investment in a Government loan floated, for the purpose of assisting the prosecution of the war made by any company to which this Act applies between the 3rd day of September 1939 and the commencement of the Act shall be as valid in all respects as if it had been made in accordance with the provisions of section 3 and after the commencement of this Act.

Decision of doubts.

5. If any question arises whether for the purposes of this Act a loan is a Government loan floated for the purpose of assisting the prosecution of the present war or whether a fund is a public fund formed for the purpose of assisting the prosecution of the present war, the question shall be decided by the Government, whose decision shall be final.

7. THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL.

Statement of Principles.

The question arose recently whether, in the absence of provisions in the Mysore Code of Civil Procedure corresponding to section 84 of the British Indian Code, the Government of India had, in Mysore, the right of suit to enforce a private right. In order to set at rest possible doubts in the matter, it is considered expedient to make provisions in the Mysore Code of Civil Procedure in this

behalf and also in regard to filing of suits against that Government in Mysore Courts similar to what is contained in the British Indian Code. The present Bill is intended for this purpose.

The Code of Civil Procedure (Amendment) Bill.

Whereas it is expedient further to amend the Code of Civil Procedure, 1911, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (i) This Act may be called the Code of Civil Procedure (amendment) Act, 194

(ii) It shall come into force at once.

Insertion of new sections in Act III of 1911.

2. After section 82 of the Code of Civil Procedure, 1911, the following new sections shall be inserted, namely:—

Government of India may sue.

"84. The Government of India may sue in any Court of Mysore

Provided that the object of the suit is to enforce a private right vested in the Government of India or in any officer of the Government of India in his public capacity.

Persons specially appointed by Government to prosecute or defend for Government of India.

85. (1) Persons specially appointed by order of the Government at the request of the Government of India and whether residing within or without Mysore, or at the request of any person competent, in the opinion of the Government, to act on behalf of the Government of India to prosecute or defend any suit on its behalf, shall be deemed to be the recognised agents by whom appearances, acts and applications under this Code may be made or done on behalf of the Government of India.

(2) An appointment under this section may be made for the purpose of a specified suit or of several specified suits, or for the purposes of all such suits as it may from time to time, be necessary to prosecute or defend on behalf of the Government of India.

(3) A person appointed under this section may authorise or appoint persons to make appearances and applications and do acts in any suit or suits as if he were himself a party thereto.

Suits against Government of India.

86. (1) The Government of India may, with the consent of the Government, certified by the signature of a Secretary to the Government, but not without such consent, be sued in any competent Court of Mysore.

(2) Such consent may be given with respect to a specified suit or to several specified suits or with respect to all suits of any specified class or classes, and may specify, in the case of any suit or class of suits, the Court in which the Government of India may be sued; but it shall not be given unless it appears to the Government that the Government of India—

(*a*) has instituted a suit in the Court against the person desiring to sue it, or.

(*b*) by itself or another trades within the local limits of jurisdiction of the Court, or

(*c*) is in possession of immovable property situate within those limits and is to be sued with reference to such property or for money charged thereon.

(3) Except with the consent of the Government certified as aforesaid, no decree shall be executed against the property of the Government of India.

4th Day.
4/10/41.
III Trn.
4½ to 5.
S. D. S.

6. Statement of Principles of the War Donations and Investments (Companies) Bill.

The SECRETARY to GOVERNMENT, LAW DEPARTMENT (Mr. M.V. Narayana Rao) explained the general principles of the Bill as follows:--

Mr. K. CHELVANAYA KELLY stated that there was nothing in the bill to make donations compulsory. All that was proposed was to make provision for voluntary contributions for War purposes, which was un-objectionable. The Congress Party would remain neutral in respect of this bill also.

The general principles of the bill were then put to vote, only the Congress members not voting.

NOTIFICATION.

No. Rl. 919, *dated Bangalore,*
the 10—11*th November* 1941.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying War Donations and Investments (Companies) Bill, together with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

THE WAR DONATIONS AND INVESTMENTS (COMPANIES) BILL.

Statement of Objects and Reasons.

When the Memorandum of Association of a company does not authorise donations to war funds, the Company cannot make such donations nor can the Memorandum be altered under the existing law so as to make such contributions possible. The purpose of this Bill is to enable a company notwithstanding any legal impediments of this character, to make any contribution it wishes to war funds. Provision is also made to enable a company to invest its assets in the war funds. Retrospective validation of any action of the kind already taken by a company since the outbreak of the war is also provided for. The measure is a purely enabling one and casts no obligation whatever on a company to invest or donate, as the case may be, to war funds. A similar Bill has been passed in British India.

The War Donations and Investments (Companies) Bill.

A Bill to enable companies in Mysore to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war.

Whereas it is expedient to enable companies in Mysore to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war;

And whereas it is also expedient to remove doubts as to the legality of such donations and investments where already made; It is hereby enacted as follows:—

Short title.

1. This Act may be called the War Donations and Investments (Companies) Act, 194

Interpretation.

2. In this Act "Government loan" includes a loan floated by the Government of the United Kingdom or by the Government of India.

Power of Companies to make donations and investments.

3. Any company formed and registered under the Mysore Companies Act, 1938, or under the Mysore Companies Act, 1917, or under the Mysore Companies Act, 1895, may, notwithstanding anything contained in the Mysore Companies Act, 1938, and notwithstanding that the Memorandum of Association or the Articles of Association of the Company do not enable it so to do, by special resolution authorise the making of a donation from the Company's assets to a public fund formed, or the making of an investment of the Company's assets in a Government loan floated, for the purpose of assisting the prosecution of the present war.

Validation of donations and investments already made.

4. Any donation to a public fund formed, and any investment in a Government loan floated, for the purpose of assisting the prosecution of the war, made by any company to which this Act applies between the 3rd day of September 1939 and the commencement of the Act shall be as valid in all respects as if it had been made in accordance with the provisions of section 3 and after the commencement of this Act.

Decision of doubts.

5. If any question arises whether for the purposes of this Act a loan is a Government loan floated for the purpose of assisting the prosecution of the present war or whether a fund is a public fund formed for the purpose of assisting the prosecution of the present war, the question shall be decided by the Government, whose decision shall be final.

Printed by the Superintendent at the Government Press, Bangalore

The War Donations and Investments (Companies) Bill.

A Bill to enable companies in Mysore to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war.

Whereas it is expedient to enable companies in Mysore to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the present war;

And whereas it is also expedient to remove doubts as to the legality of such donations and investments where already made; It is hereby enacted as follows:—

Short title.

1. This Act may be called the War Donations and Investments (Companies) Act, 194 .

Interpreta-

2. In this Act "Government loan" includes a loan floated by the Government of the United Kingdom or by the Government of India.

Power of Companies to make donations and investments.

3. Any company formed and registered under the Mysore Companies Act, 1938, or under the Mysore Companies Act, 1917, or under the Mysore Companies Act, 1895, may, notwithstanding anything contained in the Mysore Companies Act, 1938, and notwithstanding that the Memorandum of Association or the Articles of Association of the Company do not enable it so to do, by special resolution authorise the making of a donation from the Company's assets to a public fund formed, or the making of an investment of the Company's assets in a Government loan floated, for the purpose of assisting the prosecution of the present war.

Validation of donations and investments already made.

4. Any donation to a public fund formed, and any investment in a Government loan floated, for the purpose of assisting the prosecution of the war made by any company to which this Act applies between the 3rd day of September 1939 and the commencement of the Act shall be as valid in all respects as if it had been made in accordance with the provisions of section 3 and after the commencement of this Act.

Decision of doubts.

5. If any question arises whether for the purposes of this Act a loan is a Government loan floated for the purpose of assisting the prosecution of the present war or whether a fund is a public fund formed for the purpose of assisting the prosecution of the present war, the question shall be decided by the Government, whose decision shall be final.

~~Printed by the Superintendent at the Government Press, Bangalore.~~

Bill as passed by the Legislative Council

D. H. Channabasappa Chairman
President
26/12/41
Legislative Council

NOTIFICATION.

No. Rl. 919, *dated Bangalore,*
the 10--11*th November* 1941.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the accompanying War Donations and Investments (Companies) Bill, together with the statement of objects and reasons.

By Order,

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

THE WAR DONATIONS AND INVESTMENTS (COMPANIES) BILL.

Statement of Objects and Reasons.

When the Memorandum of Association of a company does not authorise donations to war funds, the Company cannot make such donations nor can the Memorandum be altered under the existing law so as to make such contributions possible. The purpose of this Bill is to enable a company notwithstanding any legal impediments of this character, to make any contribution it wishes to war funds. Provision is also made to enable a company to invest its assets in the war funds. Retrospective validation of any action of the kind already taken by a company since the outbreak of the war is also provided for. The measure is a purely enabling one and casts no obligation whatever on a company to invest or donate, as the case may be, to war funds. A similar Bill has been passed in British India.

G. R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

.....

.....

Section. Legis

File No. 35-41

Serial No. 1

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, the.....*191* .

Date of issue.....

Signed by.....

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. R.L. 1314.

Ordered that the accompanying ~~Act~~ Bill to amend the Donations and Investments (Companies) Act. ~~amendable to companies Act to make donations to public funds for charitable purposes~~ which received the assent of His Highness the Maharaja, on the 6th day of January 1942 be published as ~~Regulation~~ Act No. IV of 1942 in the *Mysore Gazette* for general information.

27.1.42

Secretary to Government.

Law Department

To

The Compiler, *Mysore Gazette*, for publication in Part ~~IV~~ III of the Gazette, in English and Kannada and for supply of ~~spare copies in English, and~~ as per standing orders spare copies in English, and ~~spare copies in Kannada~~ to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

(147)

General and Revenue Secretariat
R. A. & L. C.

File No. 54/M 8 of 194

[App. F. III-2

Serial No.

178

From

The Secretary, Re Defence War Committee

577 dated 24th July 1941

re question of amending law to enable Joint Stock Companies Contribute to War-fund.

By Act XXXVII of 1940, passed in November 1940, Companies in British India are enabled to make donations to public funds formed, and to make investments in Government loans floated, for the purpose of assisting the prosecution of the Present War.

2 This enactment is a purely enabling one and legalises such investment which would otherwise not be legal. ~~The~~ A similar measure could with advantage be adopted in Mysore.

3 A draft upd to the letter is put up. After issue and if approved, a draft Bill modelled on the lines of the British Act passed, will be put up for Consideration.

Sec'y 5/8/41 (Minister RA/20)

4 For perusal before issue

Law Secy 5/8

(Minister for Law.) 5 Hon 2 6/8/41

1 Buz 9.8.41

Hon 2 11/8/41.

Issued no RL 391 dated 11th Aug 41.

SECY. LAW DEPT. 6 AUG. 1941 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR LAW AUG 8 1941 No 1304

NOTE—Contn. Sheet.

AVD 01925—GPB—1,000—4-3-41

War Donations and Investments (Companies) Bill, 194[illegible]

File No 854/RL of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

9 A draft Bill and a statement of the general principles. The first of the Bill is modelled on the British Indian Act to which the Defence War Committee have referred.

9 The following changes have however been made. No provision is made in the Bill validating donations and investments already made in Burma as no such case of an illegal donation or investment has come to the notice of Government. The definition of "Government loan" has been widened so as to include loans which floated by the Government of the United Kingdom or by the Government of India.

10 The Bill will, if approved, be placed before the R.A. in October.

No change is necessary. It is better to incorporate it in our Act also.
Hm 18/8.

13
Yes.
Hm 18/8

Secy (RA&LC) 11 JNW 14/8.

Law Secy
14 Maybe approved.

Minister for Law.) Hm 18/8/41.

15 BKR 18.8.41
Bm 19/8/44

(Mr. Hubback) 19/8/41

BKR 19.8.41
This is a Council matter

BKR 19.8.41
Law Secy

SECY. DEFENCE DEPT. 16 AUG. 1941 GOVT C. MYSORE

OFFICE OF THE MINISTER FOR LAW AUG 19 1941 No 1657

SECY. DEFENCE DEPT. 19 AUG. 1941 MYSORE

War Donations & Investments (Companies) Bill

General and Revenue Secretariat | File No. 54/R of 194 | [App. F. III-2

Serial No.	
1445	1) This is a Council matter and may be disposed of by circulation Dewan) Hm 2 19/8/41 20/8/ 18 Mk 22/8/41 2) For favour of circulation Chief Secy. M.) Hm 2 22/8/41 DOXR 22.8.41
Submitted with a circulation memo Ba 27/8/41 Signed MK 27/8	

For Disposal by Circulation. **No. C. 169**

of 1941-42.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

The War Donations and Investments (Companies) Bill.

Circulated to the Council of Ministers.

By Order,

Chief Secretary to Government.

27th August 1941.

1029/28.8.41 **Minister for Finance and Revenue.** 20 28-8

Minister for Law. (Seen)

1472/28.8.41 **Minister for Education.** 21 29-8-41

1216/29.8.41 **Minister for Local Self-Government and Public Health.** 22 29.8.41

SECY. LAW DEPT. 30 AUG. 1941 GOVT OF MYSORE

VB Law Secy. with compliments.

3/9

2 30/8/41

30.8.41

War Donations and Investments (Companies) Bill.

General and Revenue Secretariat
R. A. & L. C.

File No. 574/M of 194 .

[App. F. III-2

Serial No.

Reference para 12 abn. necessary changes have been made in the draft Bill and the Statement of financial principles.

A. D. G. N. is sent up

Secy RA & LC) 1/9/41

Law Secy) BKR 1.9.41

D. G. N. submitted

Minister for Law.) Hm 2 4/9/41

G. N. signed BKR 5/9/40

5/9

S. N. submitted

Dewan) H

DEWAN 8 SEP. 1941 No. 1980

DEPT. 1941 MYSORE

OFFICE OF THE MINISTER FOR LAW SEP 5 1941 No. 2182

Final Note by the Minister for Law.

Subject.–

WAR DONATIONS AND INVESTMENTS (COMPANIES) BILL.

Under the existing Company Law, the memorandum of association of a company cannot authorise donation to war funds and a company cannot make such donation. The memorandum cannot also be altered under the existing law so as to permit of such donations.

In order to enable a Company to make any contribution it wishe to war funds notwithstanding any legal impediments of the character mentioned above, an Act has been passed in British India in November 1940 called the War Donations and Investments (Companies) Act, 1940. The Executive Committee of the Mysore War Fund recently passed a resolution requesting Government to undertake similar legislation in Mysore.

It is considered desirable to have a similar Act in Mysore also for this purpose. A Bill has accordingly been drafted. It is proposed to place it before the Representative Assembly in October 19 and to introduce it in the Legislative Council thereafter

The Dewan and the other Ministers are agreeable to the proposals and I solicit the gracious sanction of His Highness to them.

MINISTER FOR LAW.

Bangalore,
6th September 1941.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the proposal to place the War Donations and Investments (Companies) Bill before the Representative Assembly at its ensuing session and thereafter to introduce it in the Legislative Council, for His Highness's gracious approval.

D E W A N.

Bangalore,
8th September 1941.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

The War Donations and Investments (Companies) Bill.

Order.

FN.
9/9/'41.

NO. 190.

Chief Sec'y
9.9.41

115/1169

11/9/41

General and Revenue

Secretariat.

C169.

SUBJECT:—

The War Donations and Investments (Companies) Bill

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

34. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department. 11/9/41

1410 12.9.41 Minister for Finance and Revenue. 15.9.41

2460 12.9.41 Minister for Law. 12/9

1802 15.9.41 Minister for Education. 16.9.41

1655 16.9.41 Minister for Local Self-Govt. and Public Health. 16.9.41

Law Secy. - With Compliments.

NOTE.—Contn. sheet

WD 02878—GPB—300—26-6-41

16/9/41

17/9/41

War Donations (Companies) Bill.

General and Revenue Secretariat
R. A. & L. C.

File No. 11-C-54/N of 194

[App. F. III-2

Serial No.

The previous sanction of His Highness has been accorded to place the Bill before the R.A.

Pl. take immediate action & do so.

A copy of the Statement and the Bill may be sent to Translation section for early clear.

Sd/-
17.9.41

OFFICE OF THE SECRETARY
MW.D.S.
17 SEPT. 1941
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

The Bill is ready for the R.A. It is for orders as to who will be in charge of the Bill in the R.A

Sd/-
27.9.41
Secy
R & L C)

The Law Secretary may be in charge.
W.W.S.

BKR
27.9.41
Law Secy

Hon
2
28/9/41

The R.A. approved of the Principles of this Bill. It will be published, if approved under rule 36 of the Mysore Legislative Rules.

The St. of Principles will be adopted as the St. of Objects and Reasons.

Sd/-
3.11.41
Law Secy)

May be approved

Minister for Law)

Hon
2
3/11/41
Sd/-
3.11.41

4/11

SECY. LAW DEPT.
28 SEP. 1941
GOVT OF MYSORE

OFFICE OF THE MINISTER FOR LAW
NOV 4 1941
No 4260

NOTE—Contn. Sheet.

WD 01925—GPB—1,000—4-3-41

File No. Mysore Societies (Amendment) Bill of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

DEWAN'S OFFICE
5. NOV. 1941
NO 3734

The Mysore Societies (Amendment) Bill, 1941 is laid before the Hon'ble Members of the Executive Council.

Hon'ble Mr. ... may be seen and returned.

6/11/41

7.11.41.

Hon'ble Mr. ... may take necessary action to publish the Bill under Rule 36 ...

7.11.41

Submitted with a draft notification for approval and may be approved

7-11-41.

8.11.41

Secretary, Law Department

8 NOV. 1941
GOVT OF MYSORE

8.11.41

10.11.41

The Controller, Mysore Gazette

Please publish the publication of the Bill in the Gazette under rule 36 of the Mysore Legislature Rules, 1941.

This is a short and non controversial measure and is modelled on the corresponding British Indian Act. There may not be any need to refer it to a Select Committee.

The following Rules are hereby suggested

(93) War Donations and Investments (Companies) Bill.

General and Revenue Secretariat R. A. & L. C. | File No. | of 194 | App F III-2

Serial No.

for inclusion in the Agenda.

1. Motion that the Bill published under rule 36 of the Mysore Legislative Rules be taken into Consideration by the Council at once.

Mover: Minister for Law

Seconder: Law Secretary

2. Motion that the Bill be passed.

Mover: Minister for Law

Seconder: Law Secretary.

12.11.41

Law Secy)

May be approved

Minister for Laws)

Hm 12/III/41. 12.11.41

9

Motion I abought.

13/11

Hm 14.11.41.

Hr JBS.

Noted

1.12.41

Orders of Law Minister obtained on Insolvency amendment Bill file. Motion to be included in agenda

18.11.41

The Bill was introduced in the Legislative Council during its session earlier this month and passed by it at one sitting.

NOTE—Contn. Sheet.

SECY. LAW DEPT. 12 NOV 1941 GOVT OF MYSORE

NOV 12 1941 Lib 3.

War Donations and Investments (Confirmation) Bill

File No. 54/RL of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

A Copy of the Bill as passed by the Leg. and signed by the President Leg. is submitted herewith as required by S. O. 45

A. D. F. N. is also put up

Sd/-
23.12.41

Law Secy)

D. F. N. submitted

Minister in Law)

Sd/- Signed

Hm
2
27.12.41

Sd/-
27.12.41

Sd/-
29/12

S. N. submitted.

Sd/-
31.12.41

Law Secy)

Dewan).

Hm
2
2/1/42

Sd/-
2.1.42

OFFICE OF THE MINISTER FOR LAW
DEC 29 1941
No. 6559

DEWAN'S OFFICE
3. JAN. 1942
NO 5685

SECY. LAW DEPT.
2 JAN. 1942
GOVT OF MYSORE

Final Note by the Minister for Law.

Subject.—

The War Donations and Investments (Companies) Bill.

On the 9th September 1941, His Highness was graciously pleased to approve of the proposal to place the War Donations and Investments (Companies) Bill before the Representative Assembly in October 1941 and to introduce it in the Legislative Council thereafter.

The Representative Assembly, before which the general principles of the Bill were placed in October, approved of them unanimously. The Bill was introduced in the Legislative Council during its session and was passed by it unanimously at one sitting. A copy of the Bill as passed by the Council and signed by the President, in accordance with Standing Order 44 of the Mysore Legislative Council Standing Orders is also submitted herewith.

I now solicit the gracious sanction of His Highness to promulgate the Bill into law.

MINISTER FOR LAW.

Bangalore,
29th December 1941.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the promulgation into law of the War Donations and Investments (Companies) Bill for His Highness's gracious approval.

N. Madhava Rau

DEWAN.

Camp Trivandrum,
5th January 1942.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the War Donations and Investments (Companies) Bill.

No. 509

Order.

KW.
6/1/'42.

General and Revenue

Secretariat.

C666 C/3D

SUBJECT:—

Promulgation into law of the War Donations and Investments (Companies) Bill.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

34. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

Law .....Department.

17.1.42

3998/20.1.42 Minister for Finance and Revenue. 21.1.42

353/19.1.42 Minister for Law. 20.1.42

3485/22.1.42 Minister for Education. 23.1.42

Minister for Local Self-Govt. and Public Health (on deputation)

Law Secy. with compliments.

23/1/42

NOTE.—Contn. sheet

WD 04199—GPB—500—27-9-41

23.1.42

26.1.42

(1574)

General and Revenue Secretariat | File No. | of 194 | [App. F. III—2.

MR. ABDUL AZIZ KHAN,
MUNICIPAL COMMISSIONER.
DE[illegible] OFFICE
13. AUG. 1942
NO 1524

OFFICE OF THE MINISTER
FOR L. S. G. & P. H.
Date 12.8.42.
No. 1272

P

1002 CITY MUNICIPAL OFFICES,
BANGALORE,
Dated 11th Aug., 1942.

Dear Sir,

I write to state that the marginally noted members of the City Municipal Council, Bangalore, were arrested yesterday under the Defence of India Rules and are detained in the Central Jail. Since the period of their detention is not known, and as they have not tendered resignation for their seats on the Council, it is a point for consideration whether their places may be deemed as vacant and action taken to fill them up according to rules. I may add in this connection that the present atmosphere of the City is tense and any fresh election at this stage may result in the Congress again getting an overwhelming majority. One of the arrested persons is the Honorary President of the Council and since he is also detained, I solicit instructions whether any elections will have to be held to fill up the vacancy of the President. In case of further arrests of Councillors, I request you to kindly intimate what action I will have to follow.

1. Mr. K. Hanumanthaiya, B.A., LL.B., Honorary President.
2. Mr. K. Shamaraja Iyengar, B.A.,
3. Mr. G. Nanjappa.

Yours sincerely,

A. A. Khan

C. Narayanaswamy Naidu, Esq., B.A., B.L.,
Secretary to Govt., Law Department,
Bangalore.

NOTE—Contn. Shee

WD 04155—GPB—55,000—23-10-41

President - Bangalore city Municipality (2

Serial No.

4 The Municipal Commissioner, Bangalore City, has raised the following questions - Viz.,

(1) As the Honorary President, Mr.K.Hanumanthia has been arrested and detained, whether any election -- should be held to fill up the vacancy of the President;

(2) Two other Councillors Messrs.Shamaraja Iyengar and Manjappa have also been arrested.

2 What action should be taken in case of further arrests of Councillors?

5 In regard to point 1, it may be stated that a vacancy in the office of the President of the City Municipal Council arises under Section 23 (13) of the City Municipalities Act under the following ~~cases~~ circumstances:-

(1) non-acceptance of office,
(2) death,
(3) resignation,
(4) removal from office,
(5) election being void,
(6) appointment being void,
(7) of his becoming incapable of acting in such office,
(8) having ceased to be a Councillor under sub-section 2 of section 12, previous to the expiry of the term of office as President or Vice-President.

In the case of Mr.Hanumanthiah, none of the above conditions seems to operate. But it is a point and he has not become disqualified or again any disability

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

3) President - Bangalore City Municipality

File No. 155 1002/L of 1942

General and Revenue Secretariat

Serial No. 4

for consideration if he may not be considered to have become incapable of acting in office owing to detention.

7 The Vice-President may ~~be~~ do the duties laid down under Section 26 of the Act - viz. of presiding at the meetings. The point however is as to who should call for the meetings, as under section 27 (1) of the Act only the President has to fix the dates for the meeting.

8 In this connection, kind reference is invited to the cutting (Flag G.) wherein a similar question relating to the Bombay Municipal Corporation has arisen owing to the arrest of the Mayor. (Vide also Section 36 (c) of the Bombay Municipal Corporation Act.)

9 The suggestion made at 'A' seems to be supported by the wording of the above section of the Bombay Corporation Act. Otherwise there is no vacancy in the office of the President and he has not applied for leave.

10 If these wordings cannot be taken advantage of, then an Emergency Ordinance will have to be issued.

11 In regard to the arrest and detention of Municipal Councillors, only two have so far been arrested and detained. There are no vacancies in these places as they have not become disabled by such detention. At present there is a quorum in the Municipal Council for holding a meeting and unless it comes to a stage when there would be no quorum, this question need not be considered. Perce. minutes under para 3

Lawley 15/8/42

President - Bangalore city Municipality

Serial No.

12/ Since the President has been detained for an indefinite period he may be considered to have become incapacitated for performing his duties. The word 'incapacity' includes want of ability for the purpose or end in view. He may be removed from the office, after an opportunity is afforded for hearing him, under Section 23 (11). In that case the Vice-President Mr. Venkataswamy Chetty - a Congressman-~~shall~~ can exercise the powers and perform the duties of the President as provided by Section 26(2)(b). This may lead to a deadlock again.

13/ If the President is not removed under Section 23(11) for incapacity, the Vice-President can only preside at the meetings of the Municipal Council and exercise the powers of the President in regualting the conduct of business at such meetings as empowered by Section 26(2)(a). He cannot exercise any other powers of the President unless they are ~~not~~ a delegated to him under Section 26(1), since in the absence of such delegation or existence of vacancy he can exercise such powers only during the absence of the President on leave as per provisions of Section 26(2)(b).

14/ Even the ordinary monthly general meetings cannot be held unless the President can fix the dates from the place of his detention.

15/ Now when a vacancy arises by removal under Section

WD[C4155- GPB—55,000—23-10-41

5) President - Bangalore city Municipality

1002/L

File No. 153 of 194 2 | General and Revenue Secretariat

	Serial No.
23(11) it should be filled up by appointment or election as the case may be. For all the vacancies which are not otherwise provided for the Government may appoint any person to perform all the duties and exercise all the powers of a President, under Section 23(13). And during a vacancy in the office of the President and when there is no Vice-President to take his place, the Deputy Commissioner can perform the functions of the President (Section 23(6)). Either for the Deputy Commissioner to act or for the Government to appoint any person there must be vacancy. Section 23(7) lays down that a non-official President, who, for period exceeding two months, shall absent himself from the Municipality in such manner as to be unable to perform his duties as such President, shall cease to be President. Till that happens Mr. Hanumanthayya will continue to be the President and no successor can either be elected or appointed.	
16 But the Government can remove Mr. Hanumanthayya for incapacity under Section 23(11) and under Section 23(2)(c) or (d) appoint a President, withdrawing the right given to the Council to elect its President.	
17 As this will be a temporary measure, the present Municipal Commissioner may be appointed as the President and he can manage without a Commissioner or an independent Councillor with previous experience may be appointed.	

Serial No.

The Councillors who are detained will continue as such till they absent themselves from Council meetings during four successive months. Till the there will be no vacancy unless removed under Section 14 for incapacity.

20 1733

Cons 17-8-42

Minister L-S-S & Defence

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 20.8.42 No. 1629

I am doubtful whether this can come under Section 23(11) incapacity to perform his duties. Anyway as contemplated in this section a notice giving him an opportunity for his story may be given before any action is taken in the matter.

V.C. 19.8.42

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 24.8.42 No. 1700

It would be awkward to issue a notice to the President. He would give the obvious reply that if he were released, he would be quite willing to function.

Better to pass an emergency Act

MM 23/8/42

V.C. 25.8.42

Take action at once

Cons 26-8-42

NOTE—Cont. Sheet.

WD 04155—GPB—55,000—23-10-41

President, Municipal city

File No. 155 — 1002/2 — of 194 — General and Revenue Secretariat

Serial No.

23 For favour of necessary action immediately.

Asst Leg. Legislative Branch) Secy 27/8

OFFICE OF THE SECRETARY
27 AUG. 1942
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL
XXX
BKR 27-8-42

A draft Bill is put up. for Consideration. It amends the City Municipalities Act and is intended to empower the Government in Cases like the one under Consideration to authorise the exercise of the President's powers of duties in performance of this by some other authority to be specified by them. Such authorisation is made to be for the Period that the President cannot function.

A Statement in the form of an Act passed in Bombay in similar circumstances is put up for perusal. A copy of the Act is however not yet available. 1/A 1/64

DMS 27.8.42

Secy (P.A. to Secy)

BKR 27.8.42

Law Secy)

The draft is revised please put up alternative drafts, addn amendments & S 27(1) & 27(13) as personally discussed.

28-8-42

City Municipalities (amendment) Bill

General and Revenue Secretariat | File No. 115RL of 194 1002 | [App. F. III—2

Serial No.

27 As instructed by the Law Secretary, the two revised drafts are put up for consideration. A new clause has been added in both for reducing the quorum necessary for a meeting and for increasing the no. of members whose consent is necessary for adjourning a meeting.

28 8 42

Secy RA-LC

28

BKR 28 8 42

Law Secy

29 For consideration. Two drafts are submitted. Either of them may be approved. Draft no 1 does not give the Govt. wider powers, but will give room for stronger criticism

Minister L.S.G

Dewan

Cus 26-8-42

29.8.42

30 Since this is an elected one to be promulgated by the President like draft no 2. may be approved after receiving the assent of H. E.

I should like to see the Bombay Act - Please put it up. It can be found in the Bombay Gazette

Kll 3.9.42

S.G. 3.9.42

4.9.42

BKR 4.9.42

Cus 4-9-42

DEWAN'S OFFICE 3. SEP. 1942 NO. 2034

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 1.9.42 No. 1932

OFFICE OF THE MINISTER FOR L. S. G. & P. H. Date 4.9.42 No. 1989

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

9) City Municipalities (amendment) Bill

File No. 115RL of 194

General and Revenue Secretariat.

Serial No.

CHIEF MINISTER'S OFFICE
5. SEP. 1942
2088

3/As directed by the Dewan, the Bombay Gazette wherein the Municipal amendment Act is published is sent up herewith.

Sd/ 4.9.42

Secy RA.Le

Flag H.

33 BKR 4.9.42

Law Secy)

SECY. LAW DEPT
4 SEP
GOVT OF MYSORE

Sd/ 4-9-42

Member L.S.G & Dewan

BKR 5.9.42

Sd/ 5.9.42

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 5-9-42
No. 2027

3/ I think it will be useful enough if we enact a measure like the Bombay one. If L.S.G Member agrees, draft may be revised accordingly

Sd/ 7.9.42

Sd/ 7-9-42

3/6 Draft No.2 is more or less on the lines of the Bombay Act XV of 1942. But it will not suit our purpose to adopt it wholesale.

The

Serial No.

37 The Commissioner of the Bombay Corporation can fix the date of the first meeting of the Corporation. The subsequent meetings are fixed by the President or when he is unable, by the Chairman of the Standing Committee. When both of them are unable to act no provision had been made. Therefore Act XV of 1942 was passed to enable the Commissioner to fix the dates of ~~the~~ meeting.

38 Under the Bombay Act every meeting ~~shall be~~ was to be presided over ~~by~~ by the President, ~~and~~ but during his absence, the Councillors present are given the right to choose any one of them to preside over the meeting (Vide Section 36(g). Therefore there is no necessity to make any provision as to who should preside under the Bombay Act. There is no corresponding provision in our Act. Therefore provision has to be made for authorising someone to preside over the meetings as well as for fixing the dates of ~~the~~ meetings.

Act, Section 24 of our Act gives several powers to unlike the Bombay the President including executive powers and proviso (b) to Section 245 lays down that when the Municipal Council has power to authorise the President to do anything such a power shall not be exercised by the Municipal Commissioner.

39 In Bombay there is a Standing Committee corresponding to our Managing Committee. While the President

11) City Municipalities (amendment) Bill

File No. 115/M of 194 | General and Revenue Secretariat.

Serial No.

of the Bombay Corporation may not even be a member of the Standing Committee, in Mysore the President is not only its member but also the Chairman and he is therefore responsible for summoning and presiding over the meetings of the Managing Committee.

(2) The draft Bills are therefore prepared to suit our requirements.

DEWAN'S
9 SEP. 1942
NO 2-1-54

Min. Rev. & S. G
Dewan

Ans
9-9-42
BKR
9.9.42

OFFICE OF THE MINISTER
FOR L. S. G. & P. H.
Date 9.9.42
No. 2125

(1) Draft 2 Nos.
May be accepted
as suggested by
the L S G Minister

(4) May be Issued
for Circulation

Bill
9-9-42

(4) for favour of circulation
Ans
9-9-42
BKR
9.9.42

Circulation Section
By 9/9/42
Copies sent to 10

For Disposal by Circulation. **No. C. 336**

.....9.....194 2-43.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

The Mysore City Municipalities (Amendment) Emergency Act, 1942.

Circulated to the Council of Ministers.

By Order.

M. S. [illegible]
10/9

9th September 194 2. *Chief Secretary to Government.*

Minister for Finance and Revenue. (Seen)

Minister for Law. 11/9

1317/10.9 **Minister for Education.** 11.9.42

2176/10/9 **Minister for Local Self-Government and Public Health.** 10.9.42

WD 06346—GPB—500—24-3-42

Law Secy 11/9

Asst Secy 12-9-42

BDR 12.9.42

12.9.42

Emergency Act to amend the Mysore City Municipalities Act, 1933

1002

(13)

General and Revenue Secretariat | ML File No. 153 of 1942. | [App. F. III—2

Serial No.

49) Submitted with a D.F.N.
Hms 12/9/42
GS 12/9/42

Law Secy 50 for 12/9/42

51 D.F.N. submitted
Ans 15-9-42
for
15.9.42

52 S.N.

16.9.42

53 Two Copies of Signed F.N. are put up
BK 16/9/42

54 S.N. is submitted
Ans 16-9-42
for 16.9.42

55) Noted
17/9/42

2352

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 15.9.42
No. 2277

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—23-10-41

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH.

Subject:—

Emergency Act to amend the Mysore City Municipalities Act, 1933.

"A" (Page 1 of notes)

Mr. K. Hanumanthiah, the elected President of the Bangalore City Municipal Council, has been arrested and detained under the Defence of India Rules. Under the existing provisions of the Mysore City Municipalities Act, 1933, he is not disabled from continuing as the President of the Municipal Council and therefore there has been no vacancy in that office. No other arrangements for carrying on the duties of the President can therefore be made under the said Act as it stands at present.

Para 12 & 18 of notes.

Mr. Hanumanthiah who is under detention being unable to perform the duties of the President, a situation has arisen by which the meetings of the Bangalore City Municipal Council cannot be convened as the power to convene the same is vested solely in the President.

Difficulties are also likely to be experienced in forming the quorum prescribed under the Act.

Para 21 & 35 of notes.

With a view to meet this situation and to overcome the legal difficulties on such occasions, it is necessary to pass an Emergency Act relating to the Mysore City Municipalities Act.

Dft Bill

A draft Emergency Act has accordingly been prepared for being promulgated.

Para 41, 42, 54 & 55 of notes.

The Dewan and other Ministers of Council have agreed to the promulgation of the said Act and I solicit His Highness' gracious approval.

M. B. Gundappa Gowda

M I N I S T E R,
Local Self-Government & Public Health.

Bangalore,
Dated 16th September 1942.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Local Self-Government and Public Health *on the subject of* the Emergency Act to amend the Mysore City Municipalities Act, 1933 *for His Highness's gracious approval.*

N M Ramachandra

Dewan.

17.9.42

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Emergency Act to amend the Mysore City Municipalities Act, 1933.

No 247.

Order.

22/9/42

No 249

General and Revenue

Secretariat.

C 330

SUBJECT:—

Emergency Act to amend the Mysore City Municipalities Act, 1933.

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules for the conduct of business of Council in the Mysore Government Business Rules.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

.....L..a..w....Department. Circ 25-9-42

Maybe waited & circulated Circ 25-9-42

2841 / 29.9.42 Minister for Finance and Revenue. 30.9

2698 / 28.9.42 Minister for Law. 28/9.

Minister 2.9.42

1730 / 2.10 Minister for Education. 2.10.42

The Emergency Act has been issued as Act No XXXVIII of 1942 on 25/9/42.

2502 / 25/9 Minister for Local Self-Govt. and Public Health. 25.9.42

Circ 25-9-42

BKR 25/9/42

NOTE.—Contn. sheet

WD 06360—GPB—500—23-3-42

The Mysore city Municipalities (Amendment) Emergency Act, 1942

General and Revenue Secretariat
R. A. & L. C.

File No. of 194 D. 115/RL [App. F. III–2

Serial No.

The gracious assent of His Highness The Maharaja has been accorded on 22-9-42 to promulgate the Mysore city Municipalities (Amendment) Emergency Act, 1942 into law.

A draft G. O. directing publication as Act No XXXVIII of 1942 is put up for approval.

Submitted also for orders whether it may be issued in an Extra-ordinary issue of the Gazette tomorrow.

2N. 25/9/'42

The Act may perhaps come as a Gazette Extraordinary tomorrow

BVN 25/9

Secy (RA&LC)

Law Secy)

25. 9.42

BVR 25.9.42

Can 25-9-42

Issue now BVR 26.9.42

Issued No RL 347-Legis 19-42-1 dated 26-9-42 to the Compiler Mysore Gazette

Directs publication of the Act in a Gazette Extra-ordinary dated 26-9-42.

The Act has appeared in the Gazette Extra-ordinary to-day.

The file will be returned to the administrative

NOTE—Contn. Sheet

Mysore City Municipalities (Amendment) Emergency Act 1942

File No. 1002 / 115 / M of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No. 1/A

Section to note and to take further action if they consider it necessary to place a corresponding Bill before the next Session of R.A

Submitted for orders

26/9/42 BUN 26/9

For further action if Ministers necessary

Sd/- 26.9.42

Asst Secy Dept. &c

Sd/- illegible 26/9/42

G. R. S. III—3]
R. A. & L. C.

188RL

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

OFFICE OF THE SECRETARY
1942
LEGISLATIVE COUNCIL

1 If the Municipalities (amt) Bill (re substitute for Resident) is to be placed before Pt. the Bill and a St. of Principles have to be sent to Press by Mr Evening. a Agenda has to be despatched to Members on the 3rd Oct.

Asst Secy
Legn Sn
WZ

30.9.42

Govt

our Rules

Pl instruct Press the Act (Emergency) advice for 30/9 Issue

A copy of the Emergency Act XXXVIII issued is put up. It will be in force for six months for the present. Q this a point for orders as to whether an amending bill — with a statement of principles — may be placed before the existing R. A. so that it may be a part thereof & this Act primarily Lawsey for

LEGY. LAW DEPT. 3635 1942 GOVT OF NSW

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G. R. S. III—3]
R. A. & L. C.

2066/2 1880

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

L. S. L. Br.

1) S 13(A) may be placed permanently in the Statute. S2 may not be possible to find time for it in the ensuing Session but may be worked up for the next June Session. S2a & b1 & 2 may be amended

Mr Dodds 2.S.G

30-9-42

OFFICE OF THE MINISTER FOR L. S. G. & P. H. C.
Date 30.9.42
No. 2673

From 30.9.42
b) H.S.
1.10.42

1) Att Leg. Legislation

1/10/42

BOR 1.10.42 BKR 1.10.42

N.B.—*Should routine notes be written on small slips, the notes must be copied, or slips pasted, on this form.*

The city Municipalities (amendment) Bill

General and Revenue Secretariat | File No. 1002/2066/188/RL of 194 . 2 | [App. F. III-z

Serial No.

8) The file may be sent, if approved, to the L.S.G. Branch to take further action, as directed at para 5 of the notes supra.

9) Submitted please

24.9 5/10/42

10) Yes. Kindly see para 6 BRR 5/10. Keep a note and remind well in time for extension, if necessary.

Noted the instructions 24. 5/10/42

Sd/- 5.10.42

L.S.G. Branch

11) Submitted. If agreed, this will be kept in Sons B file 1-3-43 & taken up for further action

Sons B file 1-3-43 6/10/42 GS

12) Yes

Sd/- 6/10/42

Sd/- 6/10.

NOTE—Cont. Sheet:

WD 04155—GPB—55,000—23-10-41

Cy Municipalities (amendment) Emergency Act.

General and Revenue Secretariat
R. A. & L. C.

File No. 434/M. of 194

[App. F. III–2

Serial No.

Reference Law Secretary's instructions at para 34 above.

Orders have been obtained to Continue the Municipalities Emergency Act for a further Period of six months.

A D.F.N. is accordingly put up for Consideration.

Sd/-
11.3.43

Sees
DARZE)

May be ajd.
Sd/-
11-3-43

D.F.N. submitted

Sd/-
11-3-43

Two Copies of signed D.N. are put up

Sd/-
16/3

S.N. put up.

Sd/-
16-3-43

Sd/R

NOTE—Contn. Sheet

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH.

Subject:—

Promulgation of the Mysore City Municipalities Amendment Emergency Continuance Act - 1943.

------ : 0 : ------

On the 22nd of September 1942, His Highness was graciously pleased to accord sanction to the promulgation of the Emergency Act to amend the Mysore City Municipalities Act. The situation, which necessitated the promulgation of the Act, continues to exist. It is proposed to place the amendments permanently on the Statute Book after making suitable alterations. In the meanwhile, as the Emergency Act will expire six months after its promulgation, it is proposed to extend the life of the Emergency Act for another six months.

The Dewan and other Ministers are agreeable to the proposal and I solicit the gracious assent of His Highness to the same.

M. B. Gundappa

M I N I S T E R,
Local Self-Government & Public Health.

Bangalore,
15th March 1943.

Submitted to His Highness.

I submit herewith, for His Highness's gracious approval, a Final Note by the Minister for Local Self-Government and Public Health in regard to the proposal to extend the life of the Emergency Act to amend the Mysore City Municipalities Act by a further period of six months from the 22nd March 1943.

N. Madhava Rau

D E W A N.

Bangalore,
16th March 1943.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to extend the life of the Emergency Act to amend the Mysore City Municipalities Act by a further period of six months from the 22nd March 1943.

Order.

17/3/43.

No. 690.

General and Revenue

Secretariat.

C 849

SUBJECT:—

Proposal to extend the life of the Emergency Act to amend the Mysore City Municipalities Act by a further period of six months from the 22nd March 1943.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders ~~before~~/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

22/3

Chief Secretary to Government.

Through the Secretary to Government,

..L..a..w.....Department.

22-3-43

Minister for Finance and Revenue.

~~Minister for Law~~.

Minister for Education. 27.3.43

Minister for Local Self-Govt. and Public Health.

Law Lee 27/3 23-3-43

NOTE.—Contn. sheet

WD 0718—GPB—1,000—11-9-42

The Mysore city Municipalities (Amendment) (Emergency continuance) Act 1943

Continuation Sheet. File No. / Current No. 434 | RL of Page.

Subject. The gracious assent of His Highness the Maharaja has been accorded on the 17th March 1943 to promulgate the Mysore city Municipalities (Amendment) (Emergency continuance) Act, 1943 into law

A draft G.O. directing the publication of the Act as Act No XVI of 1943 is put up for approval

Since the Emergency Act will expire to-day, orders are solicited for publishing this Act in the Gazette (Extra-ordinary) to-day

W. 22-3-43
BVR 22/3

BVR 22-3-43

Law Secy)

Cus 22-3-43

DSM BVR 22-3-43

Attached to R.L. 930-legis 19-42-2 dated 22-3-43
The Act has been published in a Gazette, Extra-ordinary dated 22-3-43
The file is returned. A copy of the Act is also put up
W. 23-3-43

Vide orders of the Secretary on the Circulation Sheets

BVR 23/3/43.

WD 06260—GPB—500 pads of 100 sheets each—20-3-42

The Mysore City Municipalities (Amendment) Bill

Continuation Sheet. File No. 434/M. of Page.
Current No.

The Gracious assent of His Highness has been obtained to place the amendments permanently on the Statute Book after making suitable alterations.

A draft Bill is submitted for Consideration

The new clause 13A in section 23 is retained as it appears in the Emergency Act as it is an empowering Provision permitting Govt. to act in certain Circumstances.

In section 27, according to the draft Proposed, the changes in the quorum is made to take effect only during such time as the Govt. will direct by issue of Notifications. This will Vest power in Govt. to Change the quorum when they Consider that Conditions warrant it

A St. of Principle is also put up. Secy TRA. Le

19.4.43

BKR
20.4.43

Law Secy

Please bring up in person

20-4-43

Bill is amended.

Jay General

21-4-43

Mem. L.S.G.

BKR
21.4.43

22.4.43

24-4-43

BKR
24.4.43

24.4.43

Passed by R.A on 1-6-43

1-6-43

1527
20/4/43

OFFICE OF THE MINISTER
FOR L. S. G. & P. H.
Date 21.4.43
No. 2851

TW2V.

Mysore City Municipalities (Fourth Amendment) Bill

Continuation Sheet. File No. / Current No. 434/41 of Page.

Sgd
The principles of the Bill were approved by the R.A. on 17th June 1943.

The Bill will, if approved, be published under rule 36 of the Mysore Legislative Rules. Permission of the Dewan is solicited for this.

The Statement of principles will be adopted as the St. of objects and Reasons, if approved.

DEWAN'S OFFICE
3 JUN 1943
NO 8862

21.
2/6/43
BDN
2/6.

Secy
RA-Le)
BDN
2643

BDR
26-43

Law Secy)
May be published
Dewan
R.L. 5/6
Cus
2-6-43

BDR
2-6-43

Cus
7-6-43

To
The Compiler, Mysore Gazette.

No. R.L. 1113 dated 7th June 1943 directs publication of the Bill with the St. of objects and Reasons in the Gazette. Orders of the Dewan have been obtained to include the following motions in respect of the Legislative Business to be transacted at the ensuing Budget Session of the L.C. in the name of the Minister for Local Self-Government.

7-6-43
File No. 688/R.L.

The City Municipalities (Fourth Amendment) Bi

Continuation Sheet. File No. / Current No. 434/N' of Page.

and public Health.

1. The Minister for L.S.G and p.H. to introdu the City Municipalities (Fourth Amendment) Bill

2 Also to move that the Bill be Taken into consideration by the Council

3 Also to move that the Bill be passe

DEPARTMENTAL OFFICE
21. JUL. 1943
NO 443

JN 9/6/43
BVN 9/6

Submitted.

The Bill was introduced in the legislative council at its recent Session and passed by it on 1st July 1943

A copy of the Bill as passed by the council and signed by the president, Legislative council, under Standing 44 of the Legislative council Standing Orders is put up herewith

A & F.N is put up for approval

JN 15-7-43
BVN 15/7

Sgn: submitted for approval.
Secy (RA-Le) 15.7.43

BXR 15.7.43

SECY. LAW DEPT. 67 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 17.7.43.
No. 5037

Law Secy
Submitted

15-7-43

15.7.43

15.7.43

18.7.43

Two copies of signed F.N. put up

BN 21/7

Continuation Sheet. File No. / Current No. of Page.

FINAL NOTE BY THE MINISTER FOR LOCAL SELF-GOVERNMENT AND PUBLIC HEALTH

Subject:— Promulgation of the Mysore City Municipalities (Fourth amendment) Bill.

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The gracious approval of His Highness was accorded on the 17th March 1943 to the proposal to extend the duration of the Mysore City Municipalities (Amendment) (Emergency) Act, 1942 for a further period of six months and to place the amendments permanently on the Statute Book after making suitable alterations.

A Bill, framed on the lines of the Emergency Act with certain alterations, was placed before the Representative Assembly at its recent Budget Session in June 1943 and was approved by that Chamber. The Bill was thereafter introduced in the Legislative Council at its recent Budget Session and was passed by it.

A copy of the Bill as passed by the Legislative Council and signed by the President under Standing Order 44 of the Mysore Legislative Council Standing Orders is submitted herewith.

I solicit the gracious sanction of His Highness to promulgate the Bill into law.

M I N I S T E R,
Local Self-Government & Public Health.

Camp Mysore,
20th July 1943.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Local Self-Government and Public Health on the subject of the promulgation of the Mysore City Municipalities (Fourth Amendment) Bill for His Highness's gracious sanction.

N Madhava Rau

Camp Mysore,
21st July 1943.

DEWAN.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the Mysore City Municipalities (Fourth Amendment) Bill.

No. 71

Order.

27/7/'43.

General and Revenue

Secretariat.

434/M

C118

SUBJECT:—

Promulgation into law of the Mysore City Municipalities (Fourth Amendment) Bill.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Viswanathaya
Chief Secretary to Government.
30/7/43

Through the Secretary to Government,

.....L a W.....Department.

30-7-43

639/2/8 Minister for Revenue and Law. 2/8

729/3/8 Minister for Public Works. 3-8.

863/31/7 Minister for Local Self-Govt. and Public Health. 30.7.43

536/31.7.43 Minister for Industries and ~~XXXXXX~~ Supplies. 31/7

612/2/8/43 Minister for Education. 2/8 Law Secy. 3/8

MWJV.

L.—Contn. sheet

D 02718—GPB—500—21-4-43

3/8

4-8-43

Secy 3/8 4-8-43

The Mysore City Municipalities (Fourth Amendment) Act 1943

Continuation Sheet. File No. / Current No. 55 R[illegible] of Page.

The gracious assent of His Highness was accorded on the 27th July 1943 to promulgate the Bill into law

A draft G.O. directing the publication of the Act as Act No XXXIV of 1943 is submitted for approval

SEOY. LAW DEPT. 130 6/8/43 GOVT OF MYSORE

DW. 5/8/43 BVN 5/8.

Secy. (RA. Lc) 5.8.43

5.8.43

Law Secy)

6-8-43

Issue 6.8.43

To The compiler Mysore Gazette

No R.L.172- Legis 11-43-1 dated 12th Aug 1943 Directs the publication of the Act in the Gazette

The Act has been published in part IV-A of the Mysore Gazette dated 19th Aug 1943

L.S.G. Branch for noting and returning the file to this Branch when done with

DW 27/8/43 BVN 27/8

L-S-G. Branch)

Respectfully

Law Secy) 28/8/43

28-8-43

Noted & returned

Legis Secy) 28/8

2211 28/8/43

OFFICE OF THE M.T.V. SECRETARIAT

The file will be recorded if approved.

DW 16/9/43

DW 16/9/43